

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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| UNITED STATES OF AMERICA | : | CRIMINAL NO. 19-307-10 |
| | : | |
| | : | |
| VS. | : | |
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| | : | |
| FRANKLIN GENAO-CABA | : | HON. CHAD F. KENNEY |

ORDER

AND NOW, this day of , 2020, upon consideration of the Motion to Withdraw as Counsel, it is hereby **ORDERED** that this motion is **GRANTED** and present counsel, Howard D. Popper, Esquire is relieved as counsel forthwith.

BY THE COURT:

HON. CHAD F. KENNEY
U.S. DISTRICT COURT JUDGE

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| FRANKLIN GENAO-CABA | : | HON. CHAD F. KENNEY |

ORDER FOR HEARING

AND NOW, this day of, 2020, it is hereby ORDERED that a hearing on counsel's Motion to Withdraw as Counsel is scheduled for , 2020.

BY THE COURT:

HONORABLE CHAD F. KENNEY

**IN THE UNITED STATES DISTRICT COURT
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| VS. | : | |
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| FRANKLIN GENAO-CABA | : | HON. CHAD F. KENNEY |

MOTION TO WITHDRAW AS COUNSEL

**TO THE HONORABLE CHAD F. KENNEY, JUDGE OF UNITED STATES
DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA:**

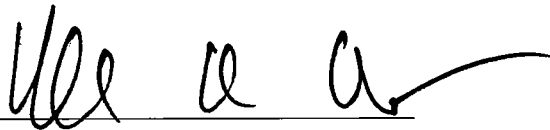
Counsel, Howard D. Popper, Esquire, files this Motion to Withdraw as Counsel for Franklin Genoa-Caba and submits the following in support thereof:

1. On September 4, 2019, Franklin Genoa-Caba was indicted in a two count indictment with: conspiring to knowingly and intentionally distributing 400 grams or more of fentanyl, in violation of Title 21 U.S.C. §841(a)(1), (b)(1)(A), Count One; knowingly and intentionally possessed with intent to distribute 400 grams or more of fentanyl, in violation of Title 21 U.S.C. §841(a)(1)(b)(1)(A), Count Two.
2. On October 21, 2019, counsel entered his appearance as retained counsel.
3. The trial date in the above-captioned matter is scheduled for March 8, 2021
4. Franklin Genoa-Caba has not complied with the terms of the fee agreement that was executed on October 21, 2019. Specifically, defendant has not met his financial obligations, nor will be able in the future.

5. Based on Franklin Genoa-Caba's financial situation and his inability to pay counsel, Howard D. Popper, Esquire respectfully requests to withdraw as counsel for Franklin Genoa-Caba.

WHEREFORE, counsel is respectfully requesting that this Honorable Court grant his motion to withdraw as counsel.

Respectfully submitted,

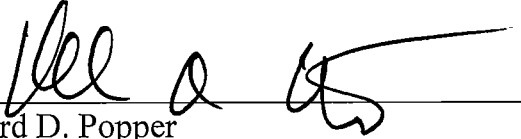
A handwritten signature in black ink, appearing to read 'H D Popper', is written over a horizontal line.

HOWARD D. POPPER, ESQUIRE
ATTORNEY FOR FRANKLIN GENOA-CABA

CERTIFICATE OF SERVICE

I, Howard D. Popper, Esquire, do hereby certify that on this date, a true and correct copy of the MOTION TO WITHDRAW AS COUNSEL via the court's electronic court filing (ecf) system:

Joseph T. Labrum, III, AUSA
United States Attorney's Office
615 Chestnut Street
Suite 1250
Philadelphia, Pa 19106


Howard D. Popper
Attorney for defendant, Franklin Genoa-Caba

Date: 2.25.2020